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*Admitted in:* MA, RI

February 26, 2025

Hon. Jennifer L. Rochon  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

The requested extension is **GRANTED**. The post-discovery pre-trial conference is rescheduled to **April 4, 2025 at 10:00 a.m.**

Date: February 27, 2025  
New York, New York

**SO ORDERED**

**JENNIFER L. ROCHON**  
United States District Judge

Re: JT Cleary, Inc. v. The Narragansett Electric Company  
No. 1:22-cv-04533-JLR-VF  
Joint Status Report and Letter-Motion Requesting a Continuance of Hearing to Permit ADR

Dear Judge Rochon,

Please consider this a joint status report from the Parties regarding the above-referenced matter. We last updated the court on January 15, 2025, via a similar letter, providing both a status report and requesting a thirty-day continuance of the upcoming post-discovery pre-trial conference. ECF 115. The same day, the Court allowed the request and continued the conference to March 4, 2025. ECF 116.

The parties write to offer updates on their agreement to arbitrate this matter and to request a second 30-day extension of the conference to permit the parties to finalize and execute their arbitration agreement. Once the arbitration agreement is executed, the Parties intend to file a joint motion to stay the proceedings pending arbitration.

Since our last status report, the Parties have agreed on an arbitrator and agreed to all material terms of a binding arbitration agreement that would resolve all claims brought in this action, including rules concerning further pleading, discovery, witness testimony, and length of the hearing. The parties have tentatively scheduled the hearing with the arbitrator and are holding the first two weeks of September 2025 for that proceeding. The parties are confirming the dates with some remaining witnesses, some of whom are outside the control of the parties.

In the alternative, should the Court wish to hold the conference as scheduled, the parties jointly request it be held remotely as permitted by your individual rules of practice. Counsel in this matter are located in Atlanta, Georgia, and Providence, Rhode Island, and remote attendance would be the most economical for the parties involved.

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The Parties have been working diligently to enter into the arbitration agreement and made significant progress, as discussed above. Good cause exists for the requested continuance. There has been one prior extension of the conference date.

Accordingly, the Parties respectfully request that the Court grant this joint request to continue the Post-Discovery Pre-Trial Conference by 30-days to approximately April 4, 2025, or whenever it is convenient for the Court.

Pursuant to the Court's Rule 3(I)(i), the parties have filed letter-briefs setting forth the basis for anticipated motions to exclude or restrict expert testimony and for summary judgment, ECF Nos. 112, 113, and 114, respectively. Under the Rule, responses are due two weeks prior to the Post-Discovery Pre-Trial Conference. In light of the Court's anticipated granting of the instant joint motion, the parties are forbearing filing responses *by agreement* with the understanding that the issues raised in those filings are preserved between them.

Thank you for your consideration of this joint request.

Sincerely,

/s/ Daniel S. Wolcott

/s/ Matthew R. O'Connor

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Lochlin Samples  
Daniel S. Wolcott  
*Counsel for Plaintiff*

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R. Thomas Dunn  
Matthew R. O'Connor  
*Counsel for Defendant*